



STAFF REPORT

Public Hearing to Consider Reissuance of the Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit and Accepting and Adopting the San Mateo Countywide Stormwater Management Plan for 2004-2009

December 9, 2003

Honorable Mayor and City Council:

Summary

The San Francisco Regional Water Quality Control Board (RWQCB) has notified the municipalities of San Mateo County that the existing five-year NPDES stormwater permit will expire in July 2004. They require application for a new five-year permit by January 25, 2004. The City/County Association of Governments (C/CAG) will apply for this permit on behalf of the San Mateo County municipalities if so requested by the Cities and County.

The application requires a five-year work plan describing the permit compliance activities. The Cities and County, working through the C/CAG San Mateo Countywide Stormwater Pollution Prevention Program (STOPPP), have prepared the "2004-2009 Stormwater Management Plan." The City Council is requested to accept and adopt the 2004-2009 Stormwater Management Plan and request that C/CAG apply on Belmont's behalf to RWQCB for the 2004-2009 municipal stormwater NPDES permit.

Background and Discussion

The Federal Clean Water Act requires a National Pollutant Discharge Elimination System (NPDES) permit for discharges to waters of the State. This includes discharges of municipal stormwater from streets and storm drains to rivers, creeks, and coastal waters. The San Francisco Bay Regional Water Quality Control Board is authorized to implement the NPDES permit program for the municipalities in San Mateo County. RWQCB issued the first five-year permit to the C/CAG municipalities in 1993 and the second in 1999. This will be the third five-year permit the City has applied for as a member of STOPPP.

The STOPPP 2004-2009 Stormwater Management Plan outlines goals and major tasks to carryout the requirements of the new NPDES permit. The plan is available for review on the STOPPP web site (http://www.flowstobay.org/articles_links/index) and in the Public Works Department.

The City of Belmont as a member of STOPPP is required to staff six standing committees corresponding to the components of the permit and workplan to support the compliance effort.

1. Municipal Government Maintenance – The Public Works Services Manager administers this component, which includes street sweeping, storm drain cleaning, maintenance of parks and corporation yard and other City maintenance activities that impact stormwater quality.
2. Commercial Industrial and Illicit Discharge Controls – Under a memorandum of understanding with the City, the County Health Department inspects the commercial establishments in the City for stormwater compliance. The County funds its activities through fees to the businesses. The Public Works Department monitors, identifies, and enforces cease and desist orders and cleanup of illicit discharges which include illegal dumping into the gutters, stormdrains and creeks.
3. Public Information and Participation – Public Works manages a public information program to educate the public about the causes and effects of stormwater pollution and encourages the public to adopt environmentally beneficial practices.
4. New Development and Construction Controls – Through permit application plan check and field inspection, Public Works Engineering and Inspection manage the construction best management practices program to minimize the impact to stormwater quality from development, redevelopment, and capital construction, both during and after construction.
5. Watershed and Monitoring – Public Works participates in the planning and implementation of an environmental monitoring program that is measuring the distribution of pollutants such as pesticides, heavy metals, PCB, and trash in urban and rural watersheds throughout San Mateo County.
6. Technical Advisory Committee – This committee provides overall coordination of the STOPPP program and manages administrative issues. Public Works staffs this committee and serves as the liaison to RWQCB.

Fiscal Impact

There is no direct fiscal impact from adopting the 2004-2009 STOPPP Stormwater Management Plan. Each June, the City authorizes funding its share of STOPPP program costs through a property fee collected by the County for C/CAG. These funds are not part of Belmont's budget.

Each June, the City also authorized collecting a property fee to fund the City's permit compliance activities. The FY04 fees provided approximately \$400,000 and are budgeted in the Storm Drain Operations and NPDES project of the FY04 budget, account 525-6731.

Recommendation

It is recommended that the City Council adopt the resolution authorizing C/CAG to apply to the San Francisco Bay Regional Water Quality Control Board on behalf of the Cities and County of San Mateo County for a new five-year NPDES permit, accept and adopt the STOPPP 2004-2009 Stormwater Management Plan; and direct the City Clerk to forward the resolution to the Executive Director of C/CAG by January 10, 2004.

Alternatives

1. Refer back to staff for additional information.
2. Deny approval.

Attachments

1. Resolution

Respectfully submitted,

Kathleen E. Phalen, P.E.
City Engineer

Raymond E. Davis III, P.E., PTOE
Director of Public Works

Jere A. Kersnar
City Manager

RESOLUTION NO. ____

**CITY OF BELMONT
San Mateo County, California**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT TO FOR
REISSUANCE OF THE MUNICIPAL STORMWATER NATIONAL POLLUTANT
DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT AND ACCEPTING AND
ADOPTING THE SAN MATEO COUNTYWIDE STORMWATER MANAGEMENT PLAN
FOR 2004-2009**

WHEREAS, the U.S. Environmental Protection Agency, under amendments to the 1987 Federal Clean Water Act, imposes regulations mandating that local governments control and reduce the amount of stormwater pollution runoff into receiving waters; and,

WHEREAS, the San Francisco Bay Regional Water Quality Control Board's Water Quality Control Plan specifically requires that all of the municipalities in San Mateo County have municipal stormwater NPDES permit coverage; and,

WHEREAS, under the authority of California's Porter-Cologne Water Quality Act, the State Water Resources Control Board and its regional boards have been delegated the authority to adopt NPDES permits and waste discharge requirements for municipal stormwater discharges; and,

WHEREAS, in July 2003, the San Francisco Bay Regional Water Quality Control Board notified the municipalities in San Mateo County of the requirement to submit an NPDES Permit Application by January 25, 2004; and,

WHEREAS, the San Mateo Countywide Storm Water Pollution Prevention Program's Technical Advisory Committee prepared a new San Mateo Countywide Stormwater Management Plan for the period from July 2004 through June 2009 and compiled other information needed to reapply for NPDES permit reissuance; and,

WHEREAS, the San Francisco Bay Regional Water Quality Control Board opened the NPDES Permit CAS0029921 for the San Mateo Countywide Stormwater Pollution Prevention Program to Amend the Permit to add New and Redevelopment Language (Amendment of Order 99-059), and adopted the Amendment on February 19, 2003.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belmont that:

1. The City of Belmont hereby authorizes C/CAG to apply to the San Francisco Bay Regional Water Quality Control Board for reissuance of the Countywide stormwater NPDES permit to discharge water from municipally-owned storm drain systems; and,
2. The City accepts, adopts, and commits to implement the 2004-2009 San Mateo Countywide Stormwater Management Plan and requests that the San Mateo Countywide Stormwater Pollution Prevention Program's (STOPPP) Coordinator submit this plan to the San Francisco Bay Regional Water Quality Control Board as part of the reapplication for the Countywide NPDES permit; and,
3. The City Clerk is hereby directed to forward a copy of this Resolution to the Board of Directors of the City/County Association of Governments of San Mateo County and the NPDES Coordinator of C/CAG no later than January 10, 2004.

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at the regular meeting thereof held on December 9, 2003, by the following vote:

AYES, COUNCIL MEMBER(S): _____

NOES, COUNCIL MEMBER(S): _____

ABSTAIN, COUNCIL MEMBER(S): _____

ABSENT, COUNCIL MEMBER (S): _____

City Clerk of the City of Belmont

APPROVED:

MAYOR of the City of Belmont